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7 UNITED STATES DISTRICT COURT
8
9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

10 FEDERAL AGENCY OF NEWS LLC and
11 EVGENIY LVOVICH ZUBAREV,

12 Plaintiffs,

13 vs.

14 FACEBOOK, INC.

15 Defendant.
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Case No. 5:18-cv-07041-LHK

**JOINT STIPULATION RESCHEDULING
INITIAL CASE MANAGEMENT
CONFERENCE**

Judge: Hon. Lucy H. Koh

STIPULATION

Plaintiffs Federal Agency of News LLC (“FAN”) and Evgeniy Lvovich Zubarev (collectively, “Plaintiffs”) and Defendant Facebook, Inc. (“Facebook”) (collectively, the “Parties”), by and through their respective counsel, hereby stipulate as follows:

WHEREAS, Plaintiffs filed the complaint in the above-captioned action (“Complaint”) on November 20, 2018, asserting claims against Facebook;

WHEREAS, the Complaint was served on Facebook on or about December 4, 2018;

WHEREAS, the Court has scheduled an initial case management conference on February 27, 2019;

WHEREAS, the United States Department of the Treasury, Office of Foreign Assets Control (“OFAC”) added Plaintiff FAN to the Specially Designated Nationals and Blocked Persons List (“SDN List”) on December 19, 2018. *See* OFAC, Notice of Intended Removals; Ukraine-/Russia-related Designations; Cyber-related Designations (Dec. 19, 2018), *available at* https://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20181219_33.aspx;

WHEREAS, counsel for Plaintiffs has informed Facebook’s counsel that (1) OFAC requires Plaintiffs’ counsel to obtain a specific license to represent Plaintiff FAN, (2) counsel for Plaintiffs is engaged in efforts to obtain a specific license from OFAC; and (3) counsel for Plaintiffs anticipates that counsel will know whether he will obtain a specific license from OFAC within thirty to sixty days;

WHEREAS, in light of the above, to ensure efficient use of judicial resources and that the Parties have sufficient time to meet and confer and make the necessary filings in advance of any initial case management conference, the Parties request that the Court (1) continue the February 27, 2019 initial case management conference and related deadlines; (2) direct Plaintiffs’ counsel to notify the Court immediately if Plaintiffs’ counsel has obtained a specific license from OFAC to represent Plaintiff FAN and, in any event, that the Parties file a joint status report with the Court by February 28, 2019; and, if Plaintiffs’ counsel has obtained a specific license from OFAC, to

1 reset the initial case management conference for the date of any hearing that the Court may set on
2 Facebook's motion in response to the Complaint.

3 WHEREAS, the Parties have stipulated, pursuant to L.R. 6-1(a), to extend Facebook's time
4 to respond to the Complaint until forty-five (45) days after the Court receives notice from Plaintiff
5 FAN's counsel that Plaintiffs' counsel has obtained a specific license from OFAC.

6 WHEREAS, Facebook anticipates filing a Motion to Dismiss in response to the Complaint
7 and the Parties have therefore further stipulated, subject to Court approval, to extend FAN and
8 Evgeniy Lvovich Zubarev's time to respond to Facebook's Motion to Dismiss the Complaint to
9 thirty (30) days, and Facebook's time to file a reply in support of its Motion to Dismiss the
10 Complaint to fourteen (14) days;

11 NOW THEREFORE, pursuant to L.R. 6-2, Plaintiffs and Defendant, through their counsel
12 of record, stipulate to the following:

13 IT IS HEREBY STIPULATED that the initial case management conference shall be
14 rescheduled to the date of any hearing that the Court may set on Facebook's motion in response to
15 the Complaint, and that the briefing schedule on Facebook's anticipated Motion to Dismiss the
16 Complaint shall be as follows: Plaintiffs' opposition will be due thirty (30) days after Facebook's
17 files its Motion to Dismiss the Complaint, and Facebook's reply will be due fourteen (14) days
18 after Plaintiffs' file their opposition.

1 DATED: February 5, 2019

MUNGER, TOLLES & OLSON LLP
ROSEMARIE T. RING
JONATHAN H. BLAVIN

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3
4 By: /s/ Rosemarie T. Ring

5 ROSEMARIE T. RING

6 Attorneys for Facebook, Inc.

7 DATED: February 5, 2019

WHITEFORD, TAYLOR & PRESTON LLP
DENNIS EDWARD BOYLE
BLERINA JASARI

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9
10 By: /s/ Dennis Edward Boyle

11 DENNIS EDWARD BOYLE

12 Attorneys for Plaintiffs

13 DATED: February 5, 2019

DIAMOND MCCARTHY LLP
CHRISTOPHER DANIEL SULLIVAN

14
15 By: /s/ Christopher Daniel Sullivan

16 CHRISTOPHER DANIEL SULLIVAN

17 Attorney for Plaintiffs

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19 **ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)(3)**

20 I, Rosemarie T. Ring, am the ECF User whose ID and password are being used to file this
21 document. I hereby attest that concurrence in the filing of this document has been obtained from
22 the signatories.
23

24
25 DATED: February 5, 2019

/s/ Rosemarie T. Ring

26 ROSEMARIE T. RING

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

February ____, 2019.

The Honorable Lucy H. Koh
United States District Judge